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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,078	06/23/2003	Dirk Trossen	042933/262997	1210

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EXAMINER

SON, LINH L D

ART UNIT	PAPER NUMBER
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2135

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/602,078

Applicant(s)

TROSSEN, DIRK

Examiner

Linh LD Son

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/06, 06/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responding to the filing of the application received on 06/23/03.

2. Claims 1-21 are pending.

Claim Objections

3. Claims 1-21 objected to because of the following informalities: Claims 1-21 recites the limitation "A method, A mobile, A system" in all claims. Examiner assumes that the Applicant meant the dependent claims referring back to its dependent one; and therefore, it should be written as the method, the mobile, and the system. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by SVENSSON et al, International Publication No. WO 02/067621A1 (Cited in PTO 1449 dated 12/06/04), hereinafter "SVENSSON".

6. As per claim 1:

SVENSSON discloses "A method for controlling access to an event maintained by an event server, the event associated with event-based information available within a network, the method comprising:

receiving, at a first network entity (mobile station in a wireless communication system, who is called supervising object A) (page 4 lines 12-15), consent (permission) to access the event-based information (position of a mobile station in a network) associated with the event, and automatically thereafter creating an authorization" in (page 4 line 29 to page 5 line 10);

"transmitting the authorization from the first network entity to a second network entity {mobile station in a wireless communication system, who is called supervising object B}" in (page 5 line 11-17);

"transmitting a subscription message from the second network entity to the event server (operator)(Page 5 lines 17-25), wherein the subscription message includes the authorization and an event package describing the event-based information" in (page 5 lines 1-10); and

"determining at the event server whether to accept the subscription message based upon the authorization" in (page 5 line 35 to page 6 line 10).

7. As per claims 2 and 11:

SVENSSON discloses "A method according to claims 1 and 10 further comprising transmitting a request to access the event-based information associated with the event, wherein the request is transmitted from the second network entity to the first network entity prior to receiving consent to access the event-based information" in (Page 6 lines 11-18).

8. As per claims 3 and 12:

SVENSSON discloses "A method according to claims 2 and 11, wherein transmitting a request comprises:

transmitting a trigger from the second network entity to the first network entity;
and

executing the trigger to thereby activate the request to access the event-based information" in (Page 6 lines 19-35) {Supervised object A has to transmit a permission signal to grant the access to the event-based information}.

9. As per claims 4 and 13:

SVENSSON discloses "A method according to claims 1 and 10, wherein the receiving a consent to access the event-based information associated with the event comprises receiving a consent to access the event-based information associated with the event with at least one parameter including at least one of a predefined granularity, frequency and time period, and wherein creating an authorization comprises creating an authorization including the at least one parameter" in (Page 6 lines 11-18).

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10. As per claims 5 and 14:

SVENSSON discloses "A method according to claims 1 and 10, wherein determining whether to accept the subscription message comprises:

verifying the authorization; and

accepting the subscription message if the authorization is verified to thereby provide the second network entity with access to the event" in (Page 6 lines 1-35).

11. As per claims 6 and 15:

SVENSSON discloses "A method according to claims 5 and 14, wherein verifying the authorization includes verifying that at least one of a predefined frequency and time period has not been exceeded" in (Page 7 lines 15-24).

12. As per claims 7 and 16:

SVENSSON discloses "A method according to claims 5 and 14, wherein verifying the authorization includes verifying a shared secret" in (Page 7 lines 25-34).

13. As per claims 8 and 17:

SVENSSON discloses "A method according to claim s 5 and 14, wherein accepting the subscription message comprises accepting the subscription message to thereby provide the second network entity with access to the event-based information with a predefined granularity" in (Page 7 lines 20-25) {permission can have position information with an accuracy of resolution of... }.

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14. As per claims 9 and 18:

SVENSSON discloses "A method according to claims 1 and 10 further comprising storing the authorization in a cache such that the event server can retrieve the authorization in response to receiving at least one subsequent subscription message, wherein the at least one subsequent subscription message includes an event package describing the event-based information" in (Page 6 lines 14-18).

15. As per claim 10:

SVENSSON discloses "A system for controlling access to an event maintained by an event server, the event associated with event-based information available within a network, the system comprising:

a first network entity (mobile station in a wireless communication system, who is called supervising object A) (page 4 lines 12-15) capable of controlling access to the event-based information associated with the event, wherein the user device is capable of receiving consent (permission) to access the event-based information (position of a mobile station in a network) associated with the event, wherein the user device is capable of automatically creating an authorization upon receiving the consent, and thereafter transmitting the authorization" in (Page 7 lines 1-14) {Supervising object A can sign the authorization using his/her digital signature};

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a second network entity {mobile station in a wireless communication system, who is called supervising object B} capable of receiving the authorization, and thereafter transmitting a subscription message, wherein the subscription message includes the authorization and an event package describing the event-based information" in (page 7 lines 1-14); and

an event server (operator)(Page 5 lines 17-25) capable of maintaining the event, wherein the event server is capable of receiving the subscription message, and thereafter determining whether to accept the subscription message based upon the authorization" in (Page 6 lines 1-10).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over SVENSSON.

18. As per claim 19:

SVENSSON discloses "A mobile station (Mobile phone) comprising:

a user interface (Mobile Phone interface, Page 2 lines 26-30) capable of receiving consent to access event-based information associated with an event maintained by an event server (Operator), wherein the at least one of service and information are available within a network (Page 5 lines 15-33);

a controller capable of executing a software application to automatically create an authorization upon receipt of the consent" (Page 7 lines 5-14); and

"a transmitter capable of transmitting the authorization to a second network entity such that the second network entity can thereafter subscribe to the event based upon the authorization" in (Page 5 lines 1-20).

However, SVENSSON does not explicitly teach of a software application.

Nevertheless, SVENSSON teaches of a method of creating an authorization using his/her signature digital signature.

Therefore, it would have been obvious at the time of the invention was made for one having ordinary skill in the art to realize that the creation of a digital signature requires an execution of a software application by a processor device.

19. As per claim 21:

SVENSSON discloses "A mobile station according to claim 19, wherein the user interface is capable of further receiving at least one parameter associated with the consent, wherein the at least one parameter includes at least one of a predefined granularity, frequency and time period, and wherein the software application is capable of creating the authorization including at least one of the predefined granularity, frequency and time period" in (Page 7 lines 1-20).

20. As per claim 20:

SVENSSON discloses "A mobile station according to claim 19, wherein the user interface is capable of receiving a request for access to thereby trigger the controller to execute the software application to present a prompt to receive consent to access the event-based information before the user interface receives the consent" in (Page 6 lines 19-35) {Supervised object A has to transmit a permission signal to grant the access to the event-based information}.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh LD Son whose telephone number is 571-272-3856. The examiner can normally be reached on 9-6 (M-F).

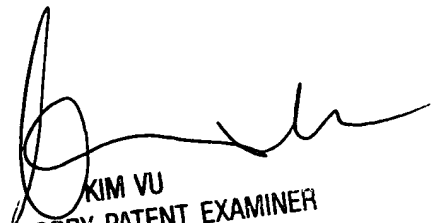
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Linh LD Son
Examiner
Art Unit 2135



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